

At a public hearing of the James City County Board of Zoning Appeals, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-eighth of October, nineteen hundred and seventy, there were present: MR. GEORGE A. MARSTON, Chairman, MR. MAYO W. WALTRIP, VICE-Chairman, MR. GERALD H. MEPHAM, Secretary, and MR. WARFIELD ROBY, JR.
RE: PUBLIC HEARING - J. P. YANCEY

Mr. Russell Carneal, representing the applicant, advised that a building permit had been issued to Mr. Yancey for construction of a single family dwelling on Lot 88 Section D, Druid Hills Subdivision on May 26, 1970, and that upon completion of the dwelling, Mr. Yancey's engineer surveyed the house on the lot and found it to be 6.6 feet in violation of Section 4-3 of the James City Zoning Ordinance. Mr. Carneal further stated that this violation was due to an error in initial field layout of the dwelling.

Mr. Watkins, Zoning Administrator, concurred with Mr. Carneal's statements.

Mr. George Douglas stated that not only was the dwelling in violation of setback regulations, it was started without a permit and was not built in the best interest of good construction.

Mr. Emerick Fisher stated that a variance was being sought after the fact and that a law breaker should not come to the law for a variance. Mr. Fisher stated he felt Mr. Yancey had disregard for the law and should be familiar with local requirements.

Mr. Watkins informed the Board that Mr. Yancey had begun construction without having first obtaining a permit, but upon being informed of the Zoning requirement, applied for and obtained a permit the day after verbal warning had been rendered.

Mr. Kenton Patrick, engineer for Yancey, stated that his office had a copy of the County's Zoning Ordinance, but that when his crew laid out the dwelling they did not have the Ordinance with them on the site.

Mr. Marston directed a short recess.

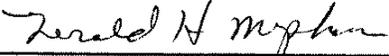
Upon reconvening the meeting the following was presented:

On a motion by Mr. Waltrip, seconded by Mr. Roby and passed by a unanimous vote, the Board of Zoning Appeals of James City County hereby defers action on the appeal of J. P. Yancey until a full membership can be present to vote.

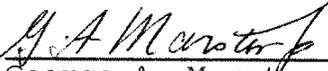
RE: MINUTES

The minutes of the previous meeting were read and approved.

There being no further business, the meeting was recessed to reconvene at the call of the Chairman.



Gerald H. Mepham, Secretary



George A. Marston, Chairman